

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 12, 2014

SEAN F. MCVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Martin Patino

Case Number: 0980 2:08CR02082-FVS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: June 17, 2009

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Probation 60 months Type of Supervision: Probation

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: June 17, 2009

Defense Attorney: Rick Lee Hoffman Date Supervision Expires: October 16, 2014

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violation previously reported to the Court on September 12, 2013.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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2	Standard Condition #2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.
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Supporting Evidence: Mr. Patino failed to submit his monthly report form as instructed within the first five days for the months of July and August 2014.

On July 13, 2014, a letter was mailed to Mr. Patino's residence reminding him he failed to submit his monthly report form. A form was also attached in the letter for the defendant to fill out and return to the probation office. Mr. Patino failed to respond to this letter. On July 31, 2014, a letter was mailed to Mr. Patino's residence instructing him to report to the probation office on or before August 7, 2014. On August 7, 2014, this officer spoke with Mr. Patino in the morning and directed him to report to the probation office and submit his monthly report form. He was also reminded he is now 2 months behind with his monthly report forms. He agreed to be in the office no later than 3 p.m. this same date. After 3 p.m. on August 7, 2014, this officer once again spoke with Mr. Patino, to which he claimed he had no transportation. He was given until 10:30 a.m. the following day to report to the probation office. Mr. Patino has failed to report as instructed.

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3 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Patino failed to report as instructed his by probation officer on August 7, and 8, 2014.

On July 31, 2014, a letter was mailed to Mr. Patino's residence instructing him to report to the probation office on or before August 7, 2014. On August 7, 2014, this officer spoke with Mr. Patino directing him to report to the probation office. He agreed to be in the office no later than 3 p.m. on this date. After 3 p.m., this officer once again spoke with Mr. Patino and claimed he still had no transportation. Per his request, he was given until 10:30 a.m. the following day to report to the probation office. Mr. Patino has failed to report as instructed.

4 **Standard Condition #11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Patino failed to report law enforcement contact within 72 hours of being cited for third degree driving while license suspended, no valid operator's license, speeding 18 miles an hour over limit, and for operating a motor vehicle without insurance on June 26, 2014.

On July 15, 2014, a records check was conducted, which revealed Mr. Patino has been cited for the above-noted traffic violations. Mr. Patino failed to report law enforcement contact within 72 hours of being cited.

5 **Special Condition #16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Patino failed to report to the probation office and submit to urinalysis testing, as directed by his probation officer on August 7, and 8, 2014.

In the morning of August 7, 2014, Mr. Patino was instructed to report to the probation office and submit to urinalysis testing. He agreed to be in before 3 p.m. In the afternoon of this same date, Mr. Patino called and advised he had no transportation. Mr. Patino was given until the following day by 10:30 a.m. to report to the probation office and submit a urine specimen. Mr. Patino failed to report, as directed.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 11, 2014

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Other



Signature of Judicial Officer

August 12, 2014

Date